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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,946	02/14/2001	Michael Robert Miller	150-123CIP19	2335

7590 08/30/2004

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EXAMINER

JOO, JOSHUA

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/783,946	Applicant(s) MILLER ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/14/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-15 are presented for examination.

Claim Objections

2. Claims 4, 9, and 14 are objected to because of the following informalities:

The applicant is using the transitional phrase "consisting of" incorrectly. The claim should state "at least one consisting of". For examination purposes, the claim will be interpreted as "at least one consisting of" from hereafter.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The claim language is not clearly understood:

- i. As per claim 1 line 5 and 6; claim 5, line 7 and 8; claim 11, line 5 and 6, the claims refers to a "pre-designated web page" then the claims refers to just a "web page." (Is the pre-designated web page the same as the web page?)

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for

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patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being unpatentable by D'Souza et al, U.S. Patent 6,625,649, D'Souza here in after.

7. As per claim 1, D'Souza teaches the invention for driving navigation to a particular web site. D'Souza's invention comprises of:

a) Detecting a docking of a client device of a user with a computer. (Fig. 6, 140-142. Col. 7, line 40-55. Computer detects the connection process. If a connection is not established, a connection is made by a modem dialing to an ISP)

b) Selecting a web page pre-designated to open upon docking of the client device (Fig. 6, 146. Col. 7, line 53-60. After a connection has been established, the URL address preferably stored in the memory are accessed and the computer navigates to the site.)

c) Downloading the pre-designated web page. (Fig. 6, 150. Col. 8, line 26-34. Shows the download process after navigation. Also on col. 2, line 64, after the computer navigates to the web site, the system can download data from the Internet.)

d) Displaying the web page on the display of the computer. (Fig. 2, 48. Col. 4, line 27-29. The system has a display driver used to display the data on the monitor. Col. 7, line 29. When a connection has been made, it will result in the launch of the Internet browser.)

8. As per claims 6 and 11, D'Souza teaches the invention for driving navigation to a particular web site. D'Souza's invention comprises of:

a) Computer code for detecting a docking of a client device of a user with a computer. (Fig. 6, 140-142. Col. 7, line 40-55. CPU determines if the system is logged on to the network. If a connection is not established, a connection routine is executed)

b) Computer code for selecting a web page pre-designated to open upon docking of the client device (Fig. 6, 146. Col. 7, line 53-64. CPU reads code stored in the memory circuit by reference. The URL address preferably stored in the memory are accessed and the computer navigates to the site.)

c) Computer code for downloading the pre-designated web page. (Fig. 6, 150. Col. 8, line 26-34. Shows the download process after navigation. Also on col. 2, line 56-66. The signal process circuit puts the system in communication with the sites. When the application software for accessing the selected site is not launched, the signal processing circuit launches the application).

d) Displaying the web page on the display of the computer. (Fig. 2, 48. Col. 4, line 27-29. The CPU is connected to the display driver used to display the data on the monitor. Col. 7, line 34. CPU accesses commands stored in memory circuit and launch program. Upon connection, it will result in the launch of the Internet browser).

9. As per claim 2, 7, and 12, D'Souza teaches the invention of claims 1, 6, and 11, where the client device is preset to open the pre-designated web site. (Col 5, line 57-59. The system can be preset to default sites upon initial configuration of the computer system.)

10. As per claim 3, 8, and 13, D'Souza teaches the invention of claims 1, 6, and 11, where the user is allowed to set the pre-designated web page. (Col 5, line 59-64. The system can be

configured by the user to allow a user to program desired site addresses by storing code representative of a corresponding universal resource locator.)

11. As per claim 4, 9, and 14, D'Souza teaches the invention of claims 1, 6, and 11, where the client device is selected from the group at least consisting of: a second computer. (Col. 3, line 55-57. The computer system is connected with remote computer terminals or the servers.)

12. As per claim 5, 10, and 15, D'Souza teaches the invention of claims 1, 6, and 11, wherein the web page presents information relating to a use of the client device. (Col. 5 line 28-30. Actuation of a key causes a high-level interrupt for opening or launching the application. Col. 5, line 47-53. The computer system has a messaging key that provides connection to a messaging service, and a search engine key that provides connection with an Internet search site.)

Conclusion

13. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilz, Sr. et al, U.S. Patent 6,076,733, discloses an invention for scanning URL encoded information and accessing the Internet to retrieve product related web pages.

Morris, U.S. Patent 6,353,848, discloses an invention for connecting a remote device with a computer and downloading information over the Internet.

Langseth et al, U.S. Patent 6,671, 715, discloses an invention for downloading information to remote devices upon connection with a database.

14. A shortened statutory period for reply to this Office action is set to expire THREE


MONTHS from the mailing date of this action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 703 605-4345. The examiner can normally be reached on Monday to Friday 7 to 4.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJ
August 13, 2004


JOHN FOLLANSBEE
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 2100